

Pope Moseley Deposition Exhibit 2

Paul De Marco
Waite, Schneider, Bayless, & Chesley
1513 Fourth & Vine Tower
One West Fourth Street
Cincinnati, OH 45202

DEPOSITION
EXHIBIT

Moseley 2
slb 8/7/08

Re: Kelci Stringer v. National Football League

Mr. De Marco:

I have reviewed the report of Lawrence E. Armstrong entitled "Thermoregulatory and Physiologic Strain due to Athletic Equipment" dated January 10, 2008, the report of Walter Lyons regarding weather conditions at Mankato July 30-31, 2001, a Simbex report regarding Riddell helmet systems, and the deposition of Ralph Goldman taken February 28, 2008. I have also reviewed data related to the Minnesota case involving the death of Mr. Stringer. Based upon these data, my expertise in the field of heat related illnesses, my clinical training and experience, and cited literature, I am able to offer the following opinion.

1. Heat stroke:

Heat stroke is a catastrophic and life threatening illness which can occur as a result of passive exposure to high environmental temperatures (classical heat stroke) or as a result of exercise (exertional heat stroke). The diagnosis of heat stroke must be considered, and must be ruled out, when a patient presents with altered mental status, an elevated core temperature, and is suspected of having been exposed to conditions favorable to heat stroke (ie high environmental temperatures or exertion). There is no threshold temperature that confirms or excludes the diagnosis of heat stroke, nor are signs such as cessation of sweating useful in making the diagnosis.

The pathophysiology of heat stroke is closely related to the infection related sepsis syndromes, and both are manifestations of the Systemic Inflammatory Response Syndrome (SIRS). In SIRS, there is generalized decrease in organ perfusion, capillary damage and leak, and widespread microclotting and bleeding from disseminated intravascular coagulation (DIC). The likely reason for heat stroke related SIRS is the widespread release of inflammatory mediators. Thus, heat stroke is a generalized inflammatory syndrome rather than a condition limited to brain dysfunction. Indeed, the inflammation and low perfusion are the key drivers of the mental status changes, which are central to the diagnosis of heat stroke.

An important corollary to the role of mental status changes in the diagnosis of heat stroke is that since the victim, by definition, demonstrates an altered mental status, (s)he cannot reliably self monitor or self report the heat stroke. Thus, placing the burden of prevention on high risk subjects is an inappropriate strategy.

2. Role of high environmental temperatures in exertional heat stroke:

Core temperature rises when heat production exceeds dissipation. Heat dissipation, in turn, depends on factors such as sweat evaporation and heat radiation. High environmental temperatures dramatically decrease the temperature gradient between

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the person and the environment; high humidity decreases the effectiveness of evaporative cooling.

The Lyons report reviews the weather conditions in Mankato, MN on July 30-31, 2001, the time when Mr. Stringer developed heat stroke. On the afternoon of July 30, when Mr. Stringer reported symptoms of heat related illness to the training staff, the report notes a time weighted heat index of 109, a danger level for heat stroke in persons with prolonged exposure to these conditions. On the morning of July 31, the heat index was 99-100. Exertion under such conditions should have been undertaken with caution. And, since heat stroke is defined by altered mental status, exercise under conditions where heat stroke may occur should be done only under close supervision for alterations in mental function and with steps taken to protect against heat gain. These measures include wearing light clothing, providing adequate hydration, and protecting subjects from direct sun exposure since the effect of direct sun exposure on heat indices may be profound (+15° F)

3. Role of clothing as a barrier to evaporative cooling in the pathogenesis of heat stroke:

Clothing serves as both a barrier to effective evaporative cooling and as an insulating system to reduce radiation of endogenously produced thermal energy. I have reviewed the data provided by L. Armstrong on the effects of athletic equipment on stress. The level of exercise was mild to moderate and consisted of a 3.5 mph walk on a treadmill at a 5% grade. The subjects were of similar body composition to American football linemen.

From a clinical perspective, the key findings of the study are: 1) the marked increase in relative humidity under partial or full uniform with treadmill exercise; 2) increased sweat rate with exercise in partial or full uniform compared to control clothing; 3) decreased ability to continue treadmill work in partial or full uniform compared to control clothing; and, most importantly, 4) a marked increase in core temperature with treadmill exercise in subjects wearing partial or full uniform compared to control clothing.

Thus, both the partial and full uniforms caused significant thermal management issues for the subjects. The uniforms both decreased heat dissipation by impairing evaporative cooling and augmented volume loss, which, if not replaced, impairs cardiovascular function. The concepts demonstrated in this study are not surprising; the degree of impairment by both partial and full uniforms is remarkable and concerning. Given the important role of mental status changes in heat stroke, and the ability of uniforms to impede cooling, equipment warnings to remove helmets and pads when not actively engaged in collision activities would be an expected part of the safety system to prevent heat illness when using the uniform/equipment.

4. Conclusions:

The information provided strongly supports the concept that Mr. Stringer was subjected to prolonged exercise under environmental conditions classified as extreme caution or dangerous in terms of heat index. While work performed under these environmental temperatures would be stressful, the clothing worn would have had a

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marked amplifying effect on the thermal challenge faced by Mr. Stringer. As demonstrated in the data provided by Dr. Armstrong, exercise in either partial or full uniform increased fluid loss and increased both the rate of core temperature rise and total thermal load experienced by the wearer. In effect, the clothing helped Mr. Stringer retain the heat he generated by exercise and impaired his ability to transfer the heat he accumulated both from exercise and from heat gained from the hot environment in Mankato, MN on July 31. These findings are supported by the Simbex report, which notes "Insulating properties of the helmet inhibited the cooling benefits of the cooler ambient air... (p.19)." Since the illness-heat stroke-caused altered mentation, it would be unreasonable to consider that Mr. Stringer could self-rescue once the illness began. Thus, it is my opinion, with a reasonable degree of medical certainty, that the uniform-including the Riddell shoulder pads and helmet-worn by Mr. Stringer was more likely than not a substantial contributing factor in his fatal heat stroke.

Finally, I note that this report is a preliminary assessment and will be supplemented as further information is provided. My fee for review of the data and consultation is \$400/hour.

Sincerely,

A handwritten signature in black ink, appearing to read "Pope L. Moseley". The signature is fluid and cursive, with the first name "Pope" and last name "Moseley" clearly distinguishable.

Pope L. Moseley, M.D.

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Michael Tice Deposition Excerpts

Michael Peter Tice, 5/13/2002

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1 STATE OF MINNESOTA
2 COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL DISTRICT

3 - - - - -

4 Kelci Stringer, individually, and as
5 Personal Representative of the Estate
6 of Korey Stringer, and as Trustee for
7 the Heirs and Next-of-Kin of Korey
8 Stringer, and Kodie Stringer, a Minor,
9 through his Parent and Natural Guardian,
10 Kelci Stringer, and Cathy Reed-Stringer
11 and James Stringer,

12 Plaintiffs,

13 v.

14 Minnesota Vikings Football Club, LLC,
15 and Dennis Green and Michael Tice and
16 Fred Zamberletti and Chuck Barta and W.
17 David Knowles, M.D. and Mankato Clinic,
18 Ltd. and John Does 1 through 30 Natural
19 Persons or Entities Whose Names or
20 Identities are Unknown to Plaintiffs,

21 Defendants.

22 - - - - -

23 VIDEO DEPOSITION OF

24 MICHAEL PETER TICE

25 Taken May 13, 2002
Commencing at 11:07 a.m.

REPORTED BY DEBRA MCCAULEY POLLARD
PARADIGM REPORTING & CAPTIONING INC.
1400 RAND TOWER
527 MARQUETTE AVENUE SOUTH
MINNEAPOLIS, MINNESOTA 55402
(612) 339-0545

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1 MR. DeMARCO: Okay. Let me rephrase
2 it.

3 BY MR. DeMARCO:

4 Q Was he abnormally fidgety or was he psyched up, as
5 you had described him earlier?

6 A I felt like he was anxious to get going. I
7 mentioned how he loved to practice. I felt like
8 he was anxious to get it underway.

9 Q Uh-huh. It wasn't anything that you interpreted
10 negatively, though?

11 A No.

12 Q Okay. How did you feel about the condition in
13 which he came to camp in 2001?

14 A I felt he looked good. I felt he looked more
15 muscular than he had looked.

16 Q Hm-hm. What did you know about his condition at
17 that point?

18 A Only what he told me. He didn't work out at the
19 facility. He told me he had been lifting more.
20 He told me he had been stretching a lot. He told
21 me he had been riding a bike a lot. And he always
22 liked to play basketball.

23 Q Hm-hm. Did you feel that he came in in the best
24 shape in 2001 that he had come in since you had
25 been his coach?

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1 A He looked like he had been -- he looked like he
2 had been lifting more weights. He looked better.

3 Q Okay. Were you satisfied with the conditioning
4 that he had done, though, in terms of preparation
5 for the first couple of days of training camp?

6 A I would always like to have seen him run more,
7 sprint work and those type things, but he didn't
8 like to do it, so he got that from riding a
9 bicycle. I would have liked to have seen him run
10 more 100-yard dashes and 40-yard dashes and 20 --
11 I would always have liked to have seen him do more
12 of that.

13 Q And that was just so that he could build up his
14 cardiovascular strength going into camp?

15 A Cardiovascular and get used to the pounding on his
16 legs.

17 Q Hm-hm. Okay. Let me take you back to an
18 observation you made earlier about the first
19 couple of days of training camp. Do you have a
20 theory for why Korey improved in terms of his
21 ability not to struggle after the first couple of
22 days of training camp?

23 MR. O'NEAL: Objection. Calling for
24 expert testimony; lack of foundation; calling for
25 speculation.

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1 MR. ALSOP: I'll join the foundation
2 objection.

3 BY MR. DeMARCO:

4 Q Go ahead.

5 A I felt it was two things. I mentioned that
6 previous. One, he got himself worked up a lot and
7 got himself keyed up and anxious and expended a
8 lot of energy being anxious. And secondly, he
9 didn't do the 40s and the 20s and the 100s and it
10 took him a couple practices to get used to that --
11 that feel of that running. You know, running
12 is -- and I'm not a strength and conditioning
13 coach, but running is not the same as riding a
14 bicycle.

15 Q Okay.

16 A That was my theory on it.

17 Q Okay. All right. So was your working theory that
18 you just had to watch him for those two days and,
19 after those two days, you were pretty confident
20 that he was going to settle down and he was going
21 to get used to the running and the pounding and be
22 okay?

23 MR. O'NEAL: Objection. That's a
24 compound question. Can you break it down and just
25 ask him one question out of that?

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1 MR. DeMARCO: Okay.

2 BY MR. DeMARCO:

3 Q Were you confident, after the first couple of
4 days, that he wouldn't struggle?

5 MR. O'NEAL: In 2001, or generally?

6 BY MR. DeMARCO:

7 Q In any training camp.

8 A Yes, I was.

9 Q Okay. And did you have the same confidence in
10 2001?

11 A I thought that's what we just asked.

12 MR. O'NEAL: No, he said any training
13 camp in the prior question.

14 A Oh. Yes I was. In 2001, yes, I was.

15 Q Let me ask you this: If you felt that he came in
16 in the best physical shape in 2001, did you expect
17 him to struggle those first couple of days?

18 A No, I did not.

19 Q So it was a surprise to you that he still
20 struggled in camp, given his better physical
21 condition, for the first couple of days?

22 MR. O'NEAL: Objection to the form of
23 the question. Assumes facts not in evidence. Go
24 ahead.

25 A He -- say it again, please.

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1 MR. DeMARCO: Would you repeat that? I
2 know. Sometimes it gets hard with people talking.

3 THE WITNESS: Yeah. I get a little
4 confused.

5 (The last question was read.)

6 A Yes, it was.

7 Q Did you talk to Korey about that in those first
8 couple of days?

9 A Yes. He told me he felt like he had an ulcer,
10 that his stomach was extremely upset, that he's
11 had -- his stomach felt very, very bad, and he
12 didn't feel his stomach was feeling right. He was
13 concerned about his stomach.

14 Q When did he tell you that?

15 A I believe it was Monday when we went on the field
16 for the first time.

17 Q So Monday morning?

18 A I believe so.

19 Q Okay. Let's go back to Sunday night. You said
20 that he was anxious to get started. Did you
21 notice anything else about Korey on Sunday night?

22 A He was sweating.

23 Q Where was the meeting?

24 A At a meeting hall. I can't think of the name of
25 the building. I'm sorry.

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1 Q Okay. Was it in Gage Hall?

2 A No. That's our dormitory.

3 Q Okay. Was it a -- it was a meeting hall --

4 A Yes.

5 Q -- at Mankato State University?

6 A Yes, sir.

7 Q Okay. Was it connected with the coliseum or the
8 locker room at all?

9 A No. You had to walk outside.

10 Q Okay. Was it air conditioned?

11 A Yes, sir.

12 Q Hm-hm. But you noticed him sweating?

13 A When he came into the room, he was sweating. I
14 think he had a towel with him, too.

15 Q Hm-hm. Okay. Were you aware of how much he
16 weighed at that point?

17 A Yeah. I was told he was very light.

18 Q What were you told his weight was?

19 A I believe it was 331 or 330, somewhere. Three --
20 no. I know it was -- it was lower than he had
21 been, so -- I don't recall the exact weight but I
22 know it was lower than he had been. I know that.

23 Q Do you know who told you that?

24 A The trainer.

25 Q Which one?

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1 finished it, we would review plays and do what I
2 refer to as point drill, where we'd line up the
3 guys. So that was the only stuff we would do
4 physically before practice was the hopscotch
5 drill.

6 Q Yeah. Was there -- once the whistle blew, then,
7 you joined the rest of the team and the players
8 went through stretching exercises, right?

9 A Yeah. Yeah, there was a whistle to start the
10 practice and another whistle in increments of ten
11 or five or -- this increment came after five
12 minutes. Whistle blows, you start your
13 five-minute warmup period. Whistle blows again,
14 you go to stretching as an entire team.

15 Q Hm-hm. Do you know of any players who sat out
16 that first practice?

17 A Sat out of the practice?

18 Q Hm-hm.

19 A No, sir, I'm not aware of any.

20 Q Okay. Do you know of any players who -- whose
21 workout was reduced during that first practice?

22 A I believe there was a defensive lineman.

23 Q Do you remember which one?

24 A I don't.

25 Q Okay. Then tell me what happened after the

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1 stretching exercises.

2 A Then we go to our area where our offense gets
3 together and does -- we run through plays, maybe
4 five minutes of plays, so there could be anywhere
5 from five plays to eight plays that we run
6 through, just to warm up. We call it boff the
7 ball.

8 And then a whistle will blow again. Or, if
9 it's a ten-minute period, after five minutes, we
10 just break up, but we only do that five minutes.
11 And then we'll go down to our area that we started
12 out in, where we had the hopscotch, and we will
13 start our everydays, our everyday footwork,
14 fundamental hand drills.

15 Q Hm-hm. Okay. In the initial portion with the
16 rest of the team, the drills with the rest of the
17 team, did you notice anything unusual about
18 Korey's performance?

19 A No.

20 Q All right. Did you notice anything unusual about
21 Korey's performance the entire morning of Monday's
22 practice?

23 A Just his stomach was bothering him, you know. He
24 told me he had an upset stomach and that, you
25 know, he was still a little anxious.

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1 Q Did he throw up at all during Monday morning's
2 practice?

3 A Not that I'm aware of.

4 Q But he very well could have; you just may not have
5 seen it, right?

6 MR. O'NEAL: Objection to the leading
7 and calling for speculation nature of that
8 question.

9 A I didn't see him throw up.

10 Q Okay. And -- so then -- what time did that first
11 practice end?

12 A I believe it was 11:00.

13 Q Okay. Was that scheduled into the practice?

14 A Yes.

15 Q Okay. In the last part of the practice, did you
16 have any special drills for offensive linemen?

17 A Not after the morning practice.

18 Q Okay. So as far as the offensive linemen were
19 concerned, practice ended on time Monday morning?

20 A Yes -- yes.

21 Q How could you tell Korey was sick to his stomach?

22 A Because he told me.

23 Q What did he say?

24 A He said he felt like he had an ulcer.

25 Q Hm-hm. Okay. Did you take that as he was

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1 self-diagnosing or he was comparing the feeling
2 that he had to how one would feel if one had an
3 ulcer?

4 MR. O'NEAL: Objection to the form of
5 the question.

6 BY MR. DeMARCO:

7 Q Go ahead.

8 A I took it as it was a self-diagnosis.

9 Q Okay. You didn't think he actually had a doctor
10 who told him that, "Korey, you have an ulcer"?

11 A No. I felt that he knew he had an upset stomach.

12 Q Okay. Did you encourage him to adjust his
13 practice at all on Monday morning in light of his
14 upset stomach?

15 A No.

16 Q Did you ask any of the trainers to keep an eye on
17 him that morning?

18 A I can't recall.

19 Q Okay. Did you have any conversation with the
20 trainers, Monday morning, about Korey Stringer?

21 A (No response.)

22 Q When I say the trainers, I mean any of the
23 trainers, not necessarily the whole group.

24 A I believe I said to one of the trainers, "Korey's
25 complaining about a stomachache." I don't know

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1 which trainer.

2 Q Do you have any idea when that was in relation to
3 the start or end of practice?

4 A It was post practice.

5 Q Okay. Did you say that as you were coming off the
6 field or later in the cafeteria or somewhere else?

7 A I don't recall.

8 Q Okay. After practice ended, did you go and have
9 lunch?

10 A Yes.

11 Q Did you see Korey at lunch?

12 A I don't recall.

13 Q When was the next time you saw Korey?

14 A At our meeting after lunch.

15 Q What time was that?

16 A 1:30, I believe.

17 Q Okay. What was the purpose of that meeting?

18 A Review practice film and just cover any
19 last-minute adjustments to the afternoon practice
20 or any plays we might not have had time to get
21 installed the night before.

22 Q Hm-hm. What was your assessment of Korey's
23 performance at that first practice?

24 A I thought it was good.

25 Q Hm-hm. And did you indicate that to him at the

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1 offensive line meeting that afternoon?

2 A If it was good, I'm sure I did.

3 Q Okay. Do you remember anything about your
4 assessment of Korey, as you conveyed it to him, at
5 the offensive line meeting that afternoon?

6 A No, I don't.

7 Q Okay. After the offensive line meeting, what did
8 you do?

9 A Go to get ready for -- get ready for practice.

10 Q Hm-hm. Did you have any conversation with the
11 trainers about Korey before practice? This is
12 before afternoon practice.

13 A I don't recall.

14 Q Did you have any conversation with anyone about
15 the heat prior to the afternoon practice?

16 A I'm sure I did because it was warm; it was humid.

17 Q Hm-hm. Did you make any adjustments to the
18 afternoon practice, in light of the heat?

19 A Yes. I eliminated the five-man sled because it
20 was the hardest part of -- the 20-some minutes I
21 get with the players by myself, it's the hardest
22 thing that they do, and I believe I eliminated
23 that.

24 Q Hm-hm. Okay. You've had the opportunity, since
25 Korey died, to review the practice tapes, the

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1 A Dale Wysocki and their groundskeeper. I don't
2 know his name. I don't want to guess his name.

3 Q "Their" being --

4 A From Mankato, yes, sir.

5 Q Okay. Do you know where Korey Stringer was at the
6 time you were looking at the cinders?

7 A No, sir. I believe he just went.

8 Q Okay. Describe to me what you recall about Korey,
9 in relation to Big Bertha, in this drill?

10 A I know he was one of the guys that slipped.

11 Q Hm-hm. Anybody else?

12 A I can't recall.

13 Q Did Korey perform the drill before Matt Birk did?

14 A I believe he did.

15 Q Was there something traditional about Korey going
16 first?

17 A He liked to go first, after Todd Steussie left.

18 Q Hm-hm. Why? Do you know?

19 A Felt like he was being the leader of the group,
20 set the tone for the group.

21 Q Okay. After Korey did this drill and I guess
22 while Matt Birk was doing the drill -- well, let
23 me back up. How long does it take for an
24 individual to do this drill?

25 A Five seconds, six seconds, seven seconds,

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1 somewhere in there. Not very long.

2 Q What's the drill entail again?

3 A Punching the bag ten times (indicating).

4 Q Okay. And aside from slipping, did Korey perform
5 the drill normally?

6 A Yes.

7 Q Did he get through the entire drill, hitting it
8 ten times?

9 A Yes.

10 Q When he slipped, did he go to the ground?

11 A Went to one knee.

12 Q Hm-hm. And you chalked that up to the loose
13 cinders only?

14 A No. I said, "Are you okay?" And he said, "Yes."

15 Q But you didn't think it was because he was
16 struggling?

17 A No.

18 Q You thought it was because of the loose cinders?

19 A Yes, sir.

20 Q Did you see where Korey went after he did the
21 drill and while Matt was doing the drill?

22 A No, sir.

23 Q Okay. I'm going to ask you to take a look at what
24 was marked as McFarland Exhibit 4-K. Have you
25 seen this photograph?

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1 A Yes, sir.

2 Q When was the first time you saw this photograph?

3 A Saturday.

4 Q At what point did the offensive linemen take off
5 their jerseys, shoulder pads, and helmets?

6 A Second practice ended.

7 Q Okay. Where is that on the -- either the number
8 or in time?

9 A In time?

10 Q In time, yeah. What time was that?

11 A I'd say five minutes before this.

12 Q What time would that have been?

13 A Oh, on the schedule? I'm sorry. If we finished
14 on time, 11:15.

15 Q Okay.

16 A If we finished early, then earlier than that.

17 Q Did they take the -- are these called shells?

18 A Those are called shoulder pads, but shells, yes.

19 Q The shoulder pads with the uniform, are they -- is
20 that what's meant by the term shells?

21 A Yes, sir.

22 Q Okay. Well, let's call them that for these
23 purposes since they're all sitting on the ground
24 there, right?

25 A Hm-hm.

Charles Barta

Deposition Excerpts

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Page: 1

1 STATE OF MINNESOTA
2 COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL DISTRICT

3 -----
4 Kelci Stringer, individually, and as
5 Personal Representative of the Estate
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8 Stringer, and Kodie Stringer, a Minor,
9 through his Parent and Natural Guardian,
10 Kelci Stringer, and Cathy Reed-Stringer
11 and James Stringer,

12 Plaintiffs,

VOLUME I
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13 v.

14 Minnesota Vikings Football Club, LLC,
15 and Dennis Green and Michael Tice and
16 Fred Zamberletti and Chuck Barta and W.
17 David Knowles, M.D. and Mankato Clinic,
18 Ltd. and John Does 1 through 30 Natural
19 Persons or Entities Whose Names or
20 Identities are Unknown to Plaintiffs,

21 Defendants.
22 -----

23 DEPOSITION OF

24 CHARLES ROBERT BARTA

25 Taken May 14, 2002
Commencing at 9:20 a.m.

REPORTED BY DEBRA MCCAULEY POLLARD
PARADIGM REPORTING & CAPTIONING INC.
1400 RAND TOWER
527 MARQUETTE AVENUE SOUTH
MINNEAPOLIS, MINNESOTA 55402
(612) 339-0545

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1 him; the electrolyte packet, poured it in the
2 Gatorade, and it mixes with the Gatorade.

3 Q And how much Gatorade did you give him?

4 A The 20-ounce bottle.

5 Q And you told him to drink it?

6 A Yes.

7 Q Did he drink it in your presence?

8 A No.

9 Q You didn't ask him to drink it in your presence?

10 A No.

11 Q When did you tell him to drink it?

12 A I told him, "Drink that stuff now and make sure
13 you continue to drink fluids all day."

14 Q Now, had he not come into the training room, did
15 you have an intent to go find him to give him this
16 Gatorade and this packet?

17 A Yes.

18 Q But this just saved you the trouble, right?

19 A Well, I didn't have to go find him.

20 Q What was in the packet?

21 A It's an electrolyte mixture made by Gatorade.

22 Q And what's it called?

23 A Gatorlyte.

24 Q And what was the quantity of the Gatorlyte that
25 you put in the Gatorade?

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1 A I don't know what the exact packet size is. It
2 has -- it contains sodium chloride.

3 Q Now, you say in previous camps, he had had
4 heat-related problems?

5 A Hm-hm, yes.

6 Q Which camps do you recall that he had heat-related
7 problems?

8 A The previous year, he had some leg cramps, in
9 2000.

10 Q Any other problems related to the heat that you
11 remembered?

12 A Not that year. Then I think in '98, he had an
13 upset stomach that year.

14 Q Any other problems that you remembered?

15 A No, nothing that I would have documented in the
16 pages. We will see a player many times throughout
17 a camp on the field. They may say something to
18 you and ask you about this. I, at the time, do an
19 assessment on the field. If there's something
20 significant, we react right then with it; if it's
21 nothing of significance at that point in time, I
22 will let them know to continue to keep me informed
23 what's going on during practice. "If you have
24 more of a problem, if it goes away, and see me in
25 the athletic training room following the

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1 practice."

2 Q When you see an athlete on the field and you have
3 one of these conversations, do you always make an
4 entry into exhibit such as Exhibit 22?

5 A No, I will not.

6 Q Okay. What is your criteria for what you enter on
7 Exhibit 22 for Korey Stringer?

8 A For the criteria on this sheet? If it was
9 something significant, which would be if they
10 missed time on it or may end up missing some
11 practice time or it's significant enough that it
12 continues to bother them.

13 Q So is it a subjective standard by which you decide
14 what to enter into this chart?

15 A I wouldn't say it's completely subjective because
16 if it's continuing to bother them, there are some
17 guidelines they use.

18 Q Are those guidelines written?

19 A No.

20 Q They're just in your head?

21 A Yes.

22 Q Okay. Well, would you just spell them out as
23 clearly as you can for the record?

24 A I just did. The fact that if a player has a
25 problem in which it continues to bother; if a

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1 player has a problem that they'll be treated for a
2 long period of time or for even a short period of
3 time. That, again, goes into back if it's a
4 problem that continues to bother them or if it's a
5 problem that causes them to miss a practice or
6 miss a meeting.

7 Q Now, the third time you saw Korey Stringer on
8 Monday, July 30th, 2001, was 45 minutes into the
9 afternoon practice, correct?

10 A Correct.

11 Q And how did you come to see him at that time?

12 A I believe Coach Tice yelled for me to come over.

13 Q And did Coach Tice tell you anything?

14 A He said that Korey was vomiting, take a look at
15 him.

16 Q And where was Korey when this occurred?

17 A Walking toward me.

18 Q And when you looked at him, what did you observe?

19 A He looked to be -- he looked sick, I mean, because
20 of the vomiting. And as he was coming towards me,
21 he vomited again. At that point, I told Korey, I
22 says, "You should just go into the first aid
23 station, cool down." He said he did not want to
24 go to the first aid station.

25 MR. O'NEAL: You're getting beyond her

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1 question now. She'll ask you about that, I'm
2 sure.

3 THE WITNESS: Okay.

4 MR. O'NEAL: Just wait until the
5 question has come.

6 BY MS. ROSELLE:

7 Q How far away from Korey were you when you first
8 saw him at this afternoon encounter?

9 A 15, 20 yards.

10 Q And he was walking towards you?

11 A Yes. As Coach Tice called, he turned and started
12 walking toward me.

13 Q And you said he looked sick. Can you tell me more
14 fully what you observed from what you concluded
15 that he looked sick?

16 A He just slouched a little bit. I mean, somebody
17 not feeling well, they have a little different
18 look. There's not a specific thing that you can
19 point out. It's just the demeanor of the person.
20 I've had -- I've been around Korey quite a bit in
21 quite of the few practices and it was just a
22 different demeanor like he didn't feel well.

23 Q Is there any way you can describe that sick
24 demeanor better?

25 A I'd say just a little more of a slouch.

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1 Q Okay. He's slouched over?

2 A Just a little more of a slouch than normal. He
3 wasn't slouched all the way over, no.

4 Q Did Korey normally stand up straight?

5 A Straight on one leg and straight on the other leg.
6 He would lean.

7 Q On his legs?

8 A On the legs, yes.

9 Q But his back would be straight?

10 MR. O'NEAL: Object as overly broad,
11 but go ahead.

12 A For the most part, yes.

13 Q And then when he was not feeling well, he would
14 slouch, which do you mean that his back would be
15 somewhat stooped?

16 MR. O'NEAL: Object as multiple in
17 form. In other words, he may have slouched other
18 times, but --

19 A Yeah, you may slouch when you're tired. He may
20 slouch -- yes, he slouched at times and slouched
21 just because he was vomiting. This was a point in
22 time here where he was walking off. The coach
23 just said, "Take a look at him. He's vomiting,"
24 and he was a little slouched coming off.

25 Q Okay. Could you define for me the word slouched

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1 have the leader go inside.

2 Q Then where did you go?

3 A He says, "I don't want to go in." I gave him
4 another minute or two minutes to stand there.

5 Q Without talking to him or while you were talking
6 to him?

7 A I didn't talk to him. I just stood next to him.

8 Q After a minute or two, then what happened?

9 A And as he vomited again, at that point, I said,
10 "We're going inside. There's no use being out
11 here."

12 Q So he vomited twice in front of you?

13 A Yes.

14 Q Do you know if he had vomited before you saw him?

15 A I don't know for sure, but I had heard he did,
16 yes. That's what Coach Tice had yelled.

17 Q So the second time he vomited in front of you, you
18 tell him it's time to go in the first --

19 A Yes.

20 Q Now, where is this first aid facility that you
21 took him to?

22 A It's off the end of one of the fields.

23 Q And is this what is sometimes referred to as the
24 trailer?

25 A Yes.

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1 Q And you took him in the trailer?

2 A I took him to the trailer, yes.

3 Q Did you take him in the trailer?

4 A Well, I brought him to the front door of the
5 trailer, walked in with him and, at that point,
6 Fred Zamberletti was in there, in the trailer, and
7 then left his care to Fred Zamberletti at that
8 time.

9 Q And where did you go?

10 A I went back out to observe the field.

11 Q Now, how long did this encounter in the afternoon
12 practice last?

13 A From the time Coach Tice yelled?

14 Q Yes.

15 A Maybe ten minutes.

16 Q Did you have to help him into the trailer or could
17 he walk okay?

18 A He was walking fine.

19 MR. O'NEAL: Just so the record is
20 clear, the ten minutes is your estimate from when
21 Tice yelled for you to when you left Korey at the
22 trailer?

23 THE WITNESS: No. From the time I
24 got -- well, from the time Coach Tice yelled for
25 me and the time we started going toward the

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1 trailer was about probably ten minutes.

2 BY MS. ROSELLE:

3 Q And how long did it take you to walk to the
4 trailer?

5 A Probably another two minutes; minute and a half,
6 two minutes.

7 Q How long, in the afternoon practice, were you
8 actually with Korey; that is, once you and he had
9 walked to the point that you were together?

10 A Probably 12 to 15 minutes, in there.

11 Q Now, you took him to the trailer. Did you open
12 the door for him?

13 A No. I believe he went in first.

14 Q And then you followed him in?

15 A Yes.

16 Q And then Zamberletti was in the trailer?

17 A Yes.

18 Q And then you left?

19 A Correct.

20 Q Did you say anything to Zamberletti?

21 A I told him that Korey had been vomiting. "I just
22 wanted to bring him in here to cool down, take it
23 easy."

24 Q And that's all you said to Zamberletti?

25 A That's all I recall, yes.

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1 Q Did you say anything else to Korey Stringer?

2 A On the walk over there, we just -- we continued
3 talking about the leadership role and the
4 leadership is best on Sundays, not practice days.
5 I told him, "Make sure that after vomiting like
6 this, consume some liquids, keep drinking."

7 Q Anything else you recall discussing with Korey?

8 A No.

9 Q Now, after you delivered him in the trailer, did
10 you see him at all on Monday, July 30th, 2001?

11 A I don't recall seeing him again, no.

12 Q Did you speak to anyone about him after you
13 delivered him to the trailer on July 30th, 2001,
14 during July 30th, 2001?

15 A I don't recall speaking to anyone, no.

16 Q Did you have any conversation with Coach Tice?

17 A On July 30th?

18 Q Yes.

19 A On Monday night? I don't recall speaking with
20 him, no.

21 MR. O'NEAL: What was that?

22 A I don't recall speaking with him on Monday night,
23 no, not on Monday. I might have during practice,
24 right after bringing Korey over there, informing
25 him of what was going on.

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1 Q But you don't have a recollection of doing so?

2 A No.

3 Q Now, on Monday, other than when Coach Tice yelled
4 for you to come over, did you have any discussions
5 whatsoever with Coach Tice about Korey Stringer?

6 A On Monday?

7 Q Yes.

8 A No.

9 Q Did you have any discussions on Monday with any of
10 the coaches about Korey Stringer, other than when
11 Coach Tice yelled for you to come over?

12 A Prior to that, no.

13 Q Did you have any discussions on Monday, July 30th,
14 2001, with any physicians about Korey Stringer?

15 A Again, prior to that incident, no, not that I
16 recall.

17 Q No, I'm asking: For the 24-hour period, from
18 midnight, July 30th, to midnight at the beginning
19 of July 31st, did you speak to any physician about
20 Korey Stringer?

21 A Oh, from -- during that full day Monday?

22 Q Yes.

23 A Where Dr. Knowles came to the field on Monday
24 afternoon, I informed him we had a few players in
25 the trailer to take a look at.

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1 Q What time did Dr. Knowles get to the field on
2 Monday afternoon?

3 A I can't give you an exact time, but it was
4 probably right around 5:00, 5:15 maybe.

5 Q And what time did Coach Tice call you over during
6 the afternoon practice to look at Korey Stringer?

7 A Somewhere between 4:30 and 4:45.

8 Q And going back to the time when you saw Korey
9 prior to the p.m. practice, what time was that?

10 A Prior to the p.m. practice?

11 Q Yes.

12 A About 15 minutes probably before the practice
13 began. About quarter to 4:00.

14 Q Prior to the time in a Dr. Knowles arrives on the
15 field, at the field, about 5:00 to 5:15 p.m., had
16 you had any discussions with any physician, either
17 on July 29th or July 30th, about Korey Stringer?

18 A Any physician? No.

19 Q Now, when Dr. Knowles arrives on the field, where
20 were you when you spoke to him?

21 A I was on the sideline of, I think, the third
22 field.

23 Q Okay. And what did you say to him?

24 A I told him we had two players in the house, the
25 first aid station, I'd like to have him take a